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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,700	07/24/2003	Shinya Taguchi	116678	9945
25944 7590 08/22/2007 OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER AUGUSTINE, NICHOLAS	
			ART UNIT 2179	PAPER NUMBER
			MAIL DATE 08/22/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/625,700

Applicant(s)

TAGUCHI ET AL.

Examiner

Nicholas Augustine

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

- A. This action is in response to the following communications: Request for Continued Examination filed 7/30/2007.
- B. Claims 1-20 remains pending. Claims 9-20 are new.

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### *Specification*

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 8 has limitation that recites the term "computer-readable recording medium" which is not disclosed in the specification.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Girgensohn et al. (US 7,149,974 B2). Herein referred to as Girgensohn.

**As for independent claim 1**, Girgensohn teaches an image processing system for correlating still picture data with video data, comprising: a video display section for reproducing and displaying the video data on a screen (col.3, line 44); a picture display section for reproducing and displaying the still picture data on the screen, wherein the still picture data is extracted from the video data and displayed in different sizes (figure 4 and col.4, line 49 "reduced representations"); a designation section for accepting an instruction from a user to designate the still picture displayed on the screen (col.3, lines 35-46); and a correlation section for, upon the instruction entered by the user during the reproduction of the video data, correlating the designated still picture data with a reproduction time position in the video data (col.3, lines 17-25).

**As for independent claim 2**, Girgensohn teaches an image processing system for correlating still picture data with video data, comprising: a registered client (col.3, line 17; of course those skilled in the art would recognize that a registered client could be numerous things, such things as a user logged into a personal computer, which is disclosed and reasonably interrupted), including a video display section for reproducing and displaying the video data on a screen, a picture display section for reproducing and displaying the still picture data on the screen, wherein the still picture data is extracted from the video data and displayed in different sizes, a designation section for accepting an instruction from a user to designate the still picture displayed on the screen, and a correlation section for, upon the instruction entered by the user during the reproduction of the video data, correlating the designated still picture data with a reproduction time position in the video data; and a distribution server for holding the video data and the still picture data that are correlated with each other, and in accordance with a request from a browsing client, providing the video data and the still picture data (col.4, lines 2-6).

As for dependent claim 3, Girgensohn teaches an image processing system according to claim 2, wherein the distribution server distributes, to the browsing client, correlation data for video data and still

picture data, and provides the still picture data requested by the browsing client (col.4, lines 7-14).

**As for independent claim 4**, Girgensohn teaches an interface for a correlation process in which, in accordance with an instruction from a user entered during the reproduction of video data, still picture data that are designated by the user is correlated with a reproduction time position in the video data, the interface (col.3, lines 17-25) comprising: a video display section for reproducing the video data and displaying the obtained video picture (col.3, line 44); and a picture display section for reproducing the still picture data and the obtained still picture, wherein, the still picture data is extracted from the video data and displayed in different sizes (figure 4 and col.4, line 49 "reduced representations") and the video display section and a picture display section are provided on the same screen (col.1, lines 3044 and col.6, lines 14-17).

**As for independent claim 5**, Girgensohn teaches an image processing method for correlating still picture data with video data, comprising the steps of: reproducing and displaying the video data on a screen, and reproducing and displaying the still picture data on the screen, wherein the still picture data is extracted from the video data and displayed in different sizes (note the analysis of claims 1 and 4 above); and in accordance with an instruction entered by a user during the reproduction of the video data to designate a still picture, correlating the corresponding still picture data with a reproduction time position in the video data (col.4, lines 30-49).

**As for independent claim 6**, Girgensohn teaches an image processing method for registering still picture data in correlation with video data to a distribution server that provides the video data and the still picture data upon the reception of a request from a browsing client, the image processing method comprising the steps of: reproducing and displaying video data on a screen, and reproducing and displaying still picture data on the screen, wherein the still picture data is extracted from the video data and displayed in different sizes; correlating a corresponding still picture data with a reproduction time

position in the video data, in accordance with an instruction entered by a user during the reproduction of the video data to designate the still picture; and registering the video data and the still picture data together with correlation data to the distribution server (note the analysis of claims 1,2,4).

As for dependent claim 7, Girgensohn teaches the image processing method according to claim 6, wherein the correlation data is a program for requesting the distribution server predetermined still picture data in accordance with the reproduction time position in video data, in accordance with a request from a browsing client, the distribution server provides video data and the program for the browsing client, and the browsing client executes the program as the video data are reproduced, and requests the distribution server still picture data that are correlated with the reproduction time position (note the analysis of claim 2; wherein the use of a network to serve and store video composites, data files , etc).

**As for independent claim 8,** Girgensohn teaches a computer-readable recording medium that stores a program that permits a computer to perform an image process for correlating still picture data with video data, the process comprising: displaying a still picture on a screen, wherein the still picture data is extracted from the video data and displayed in different sizes, accepting an instruction from a user to designate a still picture during the reproduction of the video data, and correlating the corresponding still picture data with a reproduction time position in the video data (note the analysis of claims 1,2,4,5).

As for dependent claim 9, Girgensohn teaches an image processing system according to claim 1, wherein the different sizes are based on the time length of the corresponding section of the video data (col.2, lines 45-47).

As for dependent claim 10, Girgensohn teaches an image processing system according to claim 1, wherein the different sizes are based on the importance level of the corresponding section of the video

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data (col.2, lines 45-47).

As for dependent claim 11, Girgensohn teaches an image processing system according to claim 2, wherein the different sizes are based on the time length of the corresponding section of the video data (col.2, lines 45-47).

As for dependent claim 12, Girgensohn teaches an image processing system according to claim 2, wherein the different sizes are based on the importance level of the corresponding section of the video data (col.2, lines 45-47).

As for dependent claim 13, Girgensohn teaches an interface according to claim 4, wherein the different sizes are based on the time length of the corresponding section of the video data (col.2, lines 45-47).

As for dependent claim 14, Girgensohn teaches an interface according to claim 4, wherein the different sizes are based on the importance level of the corresponding section of the video data (col.2, lines 45-47).

As for dependent claim 15, Girgensohn teaches an image processing method according to claim 5, wherein the different sizes are based on the time length of the corresponding section of the video data (col.2, lines 45-47).

As for dependent claim 16, Girgensohn teaches an image processing method according to claim 5, wherein the different sizes are based on the importance level of the corresponding section of the video data (col.2, lines 45-47).

As for dependent claim 17, Girgensohn teaches an image processing method according to claim 6, wherein the different sizes are based on the time length of the corresponding section of the video data (col.2, lines 45-47).

As for dependent claim 18, Girgensohn teaches an image processing method according to claim 6, wherein the different sizes are based on the importance level of the corresponding section of the video data (col.2, lines 45-47).

As for dependent claim 19, Girgensohn teaches a recording medium according to claim 8, wherein the different sizes are based on the importance level of the corresponding section of the video data (col.2, lines 45-47).

As for dependent claim 20, Girgensohn teaches a recording medium according to claim 8, wherein the different sizes are based on the time length of the corresponding section of the video data (col.2, lines 45-47).

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**(Note:)** It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prior art cited is related to graphical user interfaces relating to audio and video presentation.



***Inquires***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

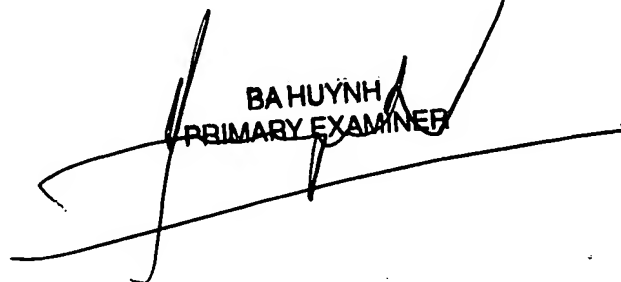
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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8/17/2007

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